

AMENDED IN ASSEMBLY JUNE 27, 2013

CALIFORNIA LEGISLATURE—2013–14 REGULAR SESSION

## Assembly Concurrent Resolution

No. 30

**Introduced by Assembly Member V. Manuel Pérez**

*(Coauthors: Assembly Members Ammiano, Atkins, Bloom, Blumenfield, Bocanegra, Bonilla, Bonta, Bradford, Brown, Buchanan, Ian Calderon, Campos, Chau, Chesbro, Cooley, Daly, Dickinson, Eggman, Fong, Fox, Frazier, Garcia, Gatto, Gomez, Gonzalez, Gray, Hall, Roger Hernández, Holden, Jones-Sawyer, Lowenthal, Mitchell, Nazarian, Perea, Quirk, Quirk-Silva, Rendon, Salas, Skinner, Stone, Ting, Weber, Wieckowski, Williams, and Yamada)*

March 5, 2013

Assembly Concurrent Resolution No. 30—Relative to pupil rights.

### LEGISLATIVE COUNSEL’S DIGEST

ACR 30, as amended, V. Manuel Pérez. Pupil rights: Student and Youth Bill of Rights.

This measure would declare that the Legislature recognizes the importance of engaging with young people to influence decisions that affect their quality of life and well-being, and that the Student and Youth Bill of Rights serves as a framework to guide and inform the youth of the state in organizing and advocating policy issues on their own behalf.

Fiscal committee: no.

- 1 WHEREAS, In the state of California, children, youth, and
- 2 young adults under 25 years of age comprise roughly one-third of
- 3 the state’s population; and

1 WHEREAS, The youth of California are among the state's  
2 greatest assets and are an important indicator of the state's future  
3 prosperity. The youth of the state are tomorrow's workers,  
4 entrepreneurs, educators, public servants, and community leaders  
5 and need the education and training to participate and succeed in  
6 the California economy; and

7 WHEREAS, It is projected that by 2018, nearly two-thirds of  
8 the jobs in California and the nation will require some college or  
9 additional training after high school and it is imperative that our  
10 youth are prepared to compete for jobs in this economy. However,  
11 many youth in California lack the basic conditions that promote  
12 their well-being and educational success; and

13 WHEREAS, The face of California is changing and racial and  
14 ethnic minorities now comprise the majority of the student  
15 population as Latino, Asian, African American, Pacific Islander,  
16 and mixed-race students make up 73 percent of all California  
17 students; and

18 WHEREAS, While many populations face barriers and  
19 challenges, an abundant body of research has demonstrated that  
20 young people of color disproportionately experience lower and  
21 worsening outcomes with regard to educational attainment,  
22 socio-economic status, health status, and interactions with the  
23 juvenile justice and child welfare systems; and

24 WHEREAS, Young people of color are more likely to grow up  
25 in neighborhoods where they confront challenges to their safety  
26 and well-being and also are more likely to attend schools that lack  
27 the facilities, funding, and support staff, including, but not limited  
28 to, counselors, coaches, and after school programs, that contribute  
29 to a successful learning environment; and

30 WHEREAS, Young people of color are more likely to start their  
31 adult lives without a high school diploma as a result of the barriers  
32 they encounter. African Americans over 25 years of age are nearly  
33 twice as likely to be without a high school diploma as their white  
34 counterparts, and Latinos are almost seven times as likely to lack  
35 a high school diploma compared to their white counterparts.  
36 Furthermore, young people of color who graduate from high school  
37 are less likely to be prepared for college, with data showing that  
38 only 14 percent of Latino high school graduates and 15 percent of  
39 African American high school graduates have completed the  
40 courses needed to access higher education; and

1 WHEREAS, In seeking to respond to these sobering conditions,  
2 it is not enough to appeal to individual responsibility,  
3 self-discipline, and personal commitment to one's self-actualization  
4 as the remedy. Instead, a societal commitment is needed to confront  
5 and rectify these barriers with an understanding of, and deriving  
6 hope from, the fact that they are human made and can be changed;  
7 and

8 WHEREAS, All young people have a stake and role to play in  
9 this effort and must be active participants in articulating a vision  
10 for surmounting these challenges. Therefore, beginning in 2011,  
11 hundreds of youth and youth advocates throughout California  
12 began a process of needs identification to develop a "Student and  
13 Youth Bill of Rights" to serve as a framework for doing so; and

14 WHEREAS, In keeping with the basic principles of our  
15 democracy, the Student and Youth Bill of Rights is premised on  
16 the fundamental belief that the right to a quality of life shall not  
17 be denied or abridged based on one's race, gender, ethnicity, sexual  
18 orientation, disability, religion, socio-economic status, place of  
19 residence, country of origin, or previous and resolved contact with  
20 the justice system; and

21 WHEREAS, The Student and Youth Bill of Rights also rests  
22 on the belief that in addition to educational opportunity, youth  
23 need supportive conditions in which to thrive and grow, including  
24 safe and secure housing, safe neighborhoods and communities,  
25 basic human services, healthy and nutritious food, physical activity  
26 and recreation, art and culture, affordable and accessible public  
27 transportation, and dental and health care, among other supports;  
28 and

29 WHEREAS, The Student and Youth Bill of Rights sets forth  
30 that all students are deserving of safe and secure public school  
31 facilities of equal quality, regardless of whether it is a magnet  
32 school, a continuation school, or a charter school or the public  
33 school is in a rural, urban, or suburban location; and

34 WHEREAS, Youth in California should be served by school  
35 districts that are adequately funded through a school finance system  
36 that is fair, transparent, equitable, and accountable. The system  
37 should recognize the additional educational barriers experienced  
38 by particular subgroups, including, but not limited to, English  
39 learners and children living in poverty, and include a transparent

1 method for ensuring the allocation of supplemental funding tied  
2 to their amelioration; and

3 WHEREAS, Youth should have the opportunity to study  
4 curriculum that is relevant to their life experiences, includes content  
5 acknowledging the ongoing struggle of oppressed peoples, and  
6 examines the material, social, and cultural needs of their  
7 communities. This knowledge helps personalize education for all  
8 youth and provides them with examples of how to become agents  
9 of change in their communities; and

10 WHEREAS, Students and youth with children of their own  
11 should have the right of access to affordable day care for their  
12 children as long as they maintain a passing grade point average or  
13 employment; and

14 WHEREAS, Students and youth have a right to receive their  
15 school records, transcripts, test scores, medical records,  
16 immunization records, and key identification documents in order  
17 to access schools and public and community resources without  
18 prejudice and in a timely manner. Youth exiting foster care, group  
19 homes, mental health facilities and other facilities, including, but  
20 not limited to, detention or incarceration facilities, should be  
21 assured timely access to these documents as well as referrals to  
22 education and essential services at the time of their release; and

23 WHEREAS, Communities should have the ability to establish  
24 and be engaged in the development of programs for restorative  
25 and transformative justice and positive behavior interventions in  
26 their schools that make use of intervention workers and peace  
27 builders in schools and communities to address conflicts while  
28 preventing school suspension, expulsion, and arrests, providing  
29 safe passage to and from school, providing for rumor control and  
30 retaliation prevention, and building truces and cease fires between  
31 neighborhoods; and

32 WHEREAS, Due to the importance of family stability to child  
33 and youth development, teen and young adult parents incarcerated  
34 due to nonviolent and nonsexual crimes should be encouraged and  
35 supported to remain in contact with their children. Similarly, youth  
36 whose parents are detained or incarcerated should be assisted to  
37 the extent possible in maintaining family bonds; and

38 WHEREAS, New schools and other youth-serving facilities  
39 should be built to encourage and celebrate youth identities and  
40 possibilities, with attention focused not only on function but also

1 on what is communicated through the design and aesthetic aspects  
2 of the buildings and the environments they support; and

3 WHEREAS, Pupils and youth deserve the opportunity to  
4 develop, make mistakes, and grow with appropriate limits  
5 established and without unreasonable school, court, or law  
6 enforcement labeling and surveillance. In instances when the law  
7 is broken, due process should not be denied, and youth under 18  
8 years of age should not be added to police databases without a fair  
9 and just trial, and pupils and youth should be secure from arbitrary  
10 police stops, searches and seizures, excessive ticketing and fines,  
11 and criminalization of truancy or lateness to school; and

12 WHEREAS, On completion of elementary and secondary  
13 education, California high school graduates should be prepared to  
14 either enter into a career or have acquired the knowledge and  
15 completed the coursework necessary to start a successful college  
16 tenure; and

17 WHEREAS, All eligible students, including immigrant students,  
18 should have access to affordable and available higher education,  
19 ensuring that course offerings are available not only for the  
20 full-time, nonworking students, but that ample evening, weekend,  
21 and online courses are available for those who work while pursuing  
22 an education; and

23 WHEREAS, The state is just one partner among many that must  
24 be invested in the fulfillment of our societal promise to California's  
25 youth, and other critical partners are parents, peers, neighbors,  
26 philanthropy, the private sector, and nongovernmental  
27 organizations; now, therefore, be it

28 *Resolved by the Assembly of the State of California, the Senate*  
29 *thereof concurring*, That the Legislature recognizes the importance  
30 of engaging with young people to influence decisions that affect  
31 their quality of life and well-being, and that the Student and Youth  
32 Bill of Rights serves as a framework to guide and inform the youth  
33 of the state in organizing and advocating policy issues on their  
34 own behalf; and be it further

35 *Resolved*, That the Chief Clerk of the Assembly transmit copies  
36 of this resolution to the author for appropriate distribution.

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